

MORLEY NELSON SNAKE RIVER BIRDS OF PREY  
NATIONAL CONSERVATION AREA ACT

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APRIL 17, 2008.—Referred to the House calendar and ordered to be printed

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Mr. RAHALL, from the Committee on Natural Resources,  
submitted the following

R E P O R T

[To accompany H.R. 3734]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 3734) to rename the Snake River Birds of Prey National Conservation Area in the State of Idaho as the Morley Nelson Snake River Birds of Prey National Conservation Area in honor of the late Morley Nelson, an international authority on birds of prey, who was instrumental in the establishment of this National Conservation Area, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 3734 is to rename the Snake River Birds of Prey National Conservation Area in the State of Idaho as the Morley Nelson Snake River Birds of Prey National Conservation Area in honor of the late Morley Nelson, an international authority on birds of prey, who was instrumental in the establishment of this National Conservation Area, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

The Snake River Birds of Prey National Conservation Area was established in 1993 during the 103rd Congress (P.L. 103-64). The National Conservation Area includes approximately 500 acres and is managed by the Bureau of Land Management. The area contains one of the densest known nesting populations of eagles, falcons, owls, hawks and other birds of prey in North America.

Morley Nelson (1917–2005) was an ardent advocate for birds of prey. Mr. Nelson was instrumental in establishing the Snake River Birds of Prey National Conservation Area. Mr. Nelson starred in and developed seven wildlife films for Walt Disney and was also largely responsible for facilitating the location of the Peregrine Fund's headquarters in Boise, Idaho. He lived in the foothills of Boise.

H.R. 3734 amends P.L. 103–64 to rename the Snake River Birds of Prey National Conservation Area as the Morley Nelson Snake River Birds of Prey National Conservation Area. The legislation also makes minor technical corrections to P.L. 103–64.

#### COMMITTEE ACTION

H.R. 3734 was introduced on by Representative Mike Simpson (R-ID). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests, and Public Lands. On March 6, 2008, the Subcommittee held a hearing on the bill.

On April 2, 2008, the Full Natural Resources Committee met to consider the bill. The Subcommittee on National Parks, Forests and Public Lands was discharged from further consideration of the bill. The bill was ordered favorably reported to the House of Representatives by voice vote.

#### COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

#### COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to rename the Snake River Birds of Prey National Conservation Area in the State of Idaho as the Morley Nelson Snake River Birds of Prey National Conservation Area in honor of

the late Morley Nelson, an international authority on birds of prey, who was instrumental in the establishment of this National Conservation Area.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

*H.R. 3734—Morley Nelson Snake River Birds of Prey National Conservation Area Act*

H.R. 3734 would redesignate the Snake River Birds of Prey National Conservation Area as the Morley Nelson Snake River Birds of Prey National Conservation Area. CBO estimates that implementing this legislation would have no significant effect on the operating budget of the conservation area, which is administered by the Bureau of Land Management (BLM). We expect that one-time costs to revise BLM brochures, maps, and signs would be minimal because most such revisions would take place in conjunction with scheduled reprinting and other routine maintenance. Enacting H.R. 3734 would not affect direct spending or revenues.

H.R. 3734 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Deborah Reis. This estimate was approved by Peter H. Fontaine, Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

EARMARK STATEMENT

H.R. 3734 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e) or 9(f) of rule XXI.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

**ACT OF AUGUST 4, 1993**

(Public Law 103-64)

AN ACT To establish the Snake River Birds of Prey National Conservation Area in the State of Idaho, and for other purposes.

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**SEC. 2. DEFINITIONS.**

As used in this Act:

(1) \* \* \*

(2) The term “conservation area” means the *Morley Nelson* Snake River Birds of Prey National Conservation Area established by section 3.

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**SEC. 3. ESTABLISHMENT OF NATIONAL CONSERVATION AREA.**

(a) ESTABLISHMENT AND PURPOSES.—(1) There is hereby established the *Morley Nelson* Snake River Birds of Prey National Conservation Area [(hereafter referred to as the “conservation area”)].

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**SEC. 4. MANAGEMENT AND USE.**

(a) IN GENERAL.—(1) \* \* \*

(2) Except as otherwise specifically provided in section 3(d) and subsections (d), (e), and (f) of this section, the Secretary shall allow only such uses of lands in the conservation area as the Secretary determines will further the purposes for which the [Conservation Area] *conservation area* is established.

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(d) VISITORS USE OF AREA.—In addition to the [Visitors Center] *visitors center*, the Secretary may provide for visitor use of the public lands in the conservation area to such extent and in such manner as the Secretary considers consistent with the protection of raptors and raptor habitat, public safety, and the purposes for which the conservation area is established. To the extent practicable, the Secretary shall make available to visitors and other members of the public a map of the conservation area and such other educational and interpretive materials as may be appropriate.

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